an FRANKLIN, of Philadelphia.

NOTARY PUBLIC. Office at the East Tennessee Na

## The Daily Chronicle.

[Entered at the Post-Office at Knoxville, Ten-

SATURDAY, APRIL 17, 1880.

### THE STATE DEBT.

MR. EDITOR: With your permission, I

will reply to the question propounded by A. S. Colyar, as to the liability of the state under the act of March 17th, 1873. The question submitted by Col. Colyar is whether the clause quoted by him in the act of 1878, is in the nature of a contract so as to bind the state and give to the bondholders a right to institute proceedings in the courts of the country against the state treasurer, and force him to pay the money in the treasury in discharge of the interest on the state debt. This is a question of vital importance to the people of Tennessee, and should be discussed without political bias or prejudice. I shall confine myself to what I consider the law of the case, and present my views as concisely as possible. I will assume without argument or citation of authority the

proposition that a state can, through its legislature, enter into a binding contract which no subsequent legislation can avoid or impair. This brings us directly to the question above stated. The view which I take of the facts and the law applicable to the case, renders it proper, if not absolutely necessary to bugin at the beginning by going back to the act of February 16th, 1852. This act is very properly entitled, "An act to establish a system of internal improvements in this state." The bonds which now constitute the bulk of our state debt were issued under this act and east amendatory thereof. It may be said that the provisions of the act of February 18th, 1852, apply to all the bonds issued by the state in aid of railroads. At the time of the passage of this act the whole subject of state aid to railroads was fully discussed before the people, and was fully discussed before the people, and was fully discussed and early the state in the state. The principal object of this legislation was to advance the material interests of the state, and in this the hopes of the originators of the system have been fully realized. This was the consideration received by the state. That this whole legislation was in the nature of a contract, I do not think will be questioned by any rational mind. There were three contracting parties. The state, the railroad companies and the parties who purchaser partied with his money on a lease; the railroad companies received the money and used it in building their roads. Now, on whom rested the responsibility of payment? This is the important question to be first settled. That the state was bound to pay the bonds is beyond question. On the face of the bond she is the only obligor, but is the state the real payor? Mr. Stokes and others, who insist that the bondholder has no rights that he can enforce upon the railroads, base their argue ment on the hypothesis that the face of the bond she is the only obligor. The state by the same I lake it was more ally right for the state was bound to pay the bond she is the only obligor. The state was the purpose of the same. I have the bond she is the only obligor and the purpose of the same. I have the bond she is t question above stated. The view which I take of the facts and the law applicable

ELA W. 2d St. CIWOLDWARE

ing the bonds in, why was this provision inserted to give the roads a credit are against the relate? The legislators of 1852 were either fools, or this is a clear recognition of the rights of the bondholder against the roads and a reservation of those rights. The courts of the country will have no difficulty in settling this question when its properly presented for adjudication.

Much has been said and written about the reserved lien of the tasts in the several acts appropriating bonds to railroads. The view I take of the case, a discussion of this question at this time is premature. The lien was, by the legs and the roads of the loan, but no provision was made for enforcing the lien to pay interest as it accrued. The lien extended to the road bed, right of way, randing, bridges and masoury, and for all the stock subscribed for in the company, and upon the materials to be purchased with the bonds issued to the roads, but did not extend to the rest, issues and groits of the roads. These were set agast, inder the other contract when the materials to be purchased with the bonds issued to the roads, but did not extend to the reflex, issues and groits of the roads. These were set agast, inder the other contract when the master of the contract the other contract which there were the principal, at the rate of one per cent, per anum on the amount of the loan, and the scoals contracted that if they failed to do this that then a receiver might be appointed to seal to the contract the contract. The oth section provides for the enforcement of the loan, and the scoals contracted that if they failed to do this that then a receiver might be appointed to the principal, at the rate of one per cent, per anum on the amount of the loan, and the scoals contracted that if they failed to do this that then are receiver might be applied to the principal, at the subject to receive the contract. The oth section provides for the enforcement of the loan of The Remedy of the Bondholders.

is too clear for argument. It therefore follows that the act of January 20th, 1870, in so far as it affects the rights of the bondholders under the original act of 1852. is void as an act impairing the obligation of a contract.

of a contract.

The case of the trustees of the Wabsh and E-ie canal company vs. Beers, 2 Black, page 448, is conclusive on this question. This brings us to the question propounded by Uol. Colyar as to whether the act of March 17th, 1872 was a contract or simply a general law. If the third section is a contract then it is binding on the state, and any act by a subsequent legislature which modifies or repeals the clause, making it the duty of the treasurer to set apart revenues sufficient to pay the interest, is void, and the bondholder has the right to institute proceedings in court to compel the state treasurer to set spart a fund for this purpose.

THE CENUINE

Dr. C. McLANE'S

LIVER PLISS

IN THE CENUINE

Dr. C. McLANE'S

LIVER PLISS

IN THE CENUINE

Dr. C. McLANE'S

LIVER PLISS

IN THE CENUINE

The control of the first process of the control of

the bonds issued to the solvent roads. It would be dishonorable for the state to avoid payment if she could, and it would be ruinous for the railroads to be forced to pay these bonds, which they have once in good faith paid to the state on her own proposition, as contained in the act of 1870.

If, after the solvent roads have paid \$14,000,600 of the state debt, they can be held to pay the bulk of the remainder, and the state can, by force of her power as a sovereign, refuse to pay, and maintain that position before the courts of the country, the act would be doubly dishonorable and humiliating in the extreme.

The contemplation of the possibility of

and humiliating in the extreme.

The contemplation of the possibility of such a result is enough to bring a tinge of shame to every man who claims to be a Tennesseean, and awake in the breast of every honest man in the civilized world a feeling of indignation against a people who would so wrong their fellow-man, themselves and their posterity.

Hespectfully, W. P. Gilles waters. Rogersville, Tenn., April 8th, 1880.

Republican State Convention.

OFFICE STATE REP. Ex. Com., Nashville, Tenn., Feb. 6, 1880.) A Convention of Republicans of Tennessee will be held at Nashville, in the hall of the House of Reprein the hall of the House of Representatives, at 12 o'clock, m, on May 5th, next, for the purpose of naming a candidate for Governor of Tennessee, and to select twenty-four delegates to attend the National Republican Convention, which meets at Chicago, Ill., on June 2d. Also, to transact such other business as may come before it. The ratio of representation in our State Convention will be one delegate from each county in the State, and one additional delegate from each county for every two hundred votes, or fractional part of two hundred over one hundred, east for the Republican candidates for Electors in 1878.

JOHEPH R. DILLIN,

## Gentle Women

Who want glossy, luxuriant and wavy tresses of abundant, beautiful Hair must use LYON'S KATHAIRON. This elegant, cheap article always makes the Hair grow freely and fast, keeps it from falling out, arrests and eares grayness, removes dandrul and itching, makes the Hair strong, giving it a curling tendency and keeping it in any desired position. Beau-tiful, healthy Halr is the sure result of using Kathairon,

The Best is the Cheapest!



ANCHOR LEAD The ANCHOH LEAD is guaranteed to contain melting but pure White Lead and pure Lin eed Oil, which are the best materials known for Paints. The Anchor braind is will known for Its purity and the high reputation it has a laways borne, and on account of its durability is far cheaper in the end to the consumer than any of the so-called cheap vanits. The Anchor Lead is being imitated, and we caution all to see that the name of the manufacturers as below and the cut above is found on every label.

Manufactured by

THE ANCHOR WHITE ALEAD CO.,
CINCINNATI, OFFIC.
Samford, Anchors A Athers,
Knowville, Tehn., Agents.

### **HUNT'S** HOTEL & DINING ROOMS ON THE EUROPEAN PLAN,

Vine St., between Fourth & Flfth CINCINNATI, O.

MEALS AT ALL HOURS. Open DAY and NIGHT

OPPOSITE THE DEPOT,

Johnson City, Tenn.,

E. D. HOSS, Proprietor.

Best Table Fare in East Tennessee. PORTERS AT EVERY TRAIN.

### Select Dancing School. MADAM LOUIS

HAS OPENED

At McKinney's Hail, over New Orleans Store. At McKinnoy's Mail, over New Orleans Store.

The Madam is gaining friends raitily among Knoxtille's distil galabed dilizens, all of whom express great pride in her achievements. These wishing to join shoul call on her at thee.

TERMS—One pupil, \$10 for 24 lessons. For two of a family, \$5 each per month; \$5 for 12 lessons. Young ladies or gents wishing to join the Saturday and Thursday, \$1 per per point.

Chi dren taught at three years old, on Tuesday and Thursday, at 5 periods, and Saturday at 3 o'clock p.m. Private lessons given, if desired, at residences or school. Call at academy on school days, hours from \$2 clock to 5, p.m., or address P. O., city.



Metalic & Wooden Caskets CASES AND COFFINS.

Also, ROBES, MOUNTINGS and EMBLEMS Finest and Best Henree in East Ten-

To Orders by Telegraph or otherwise will receive rount attention.

The moderate. Call and see before urchasing elsewhere. S. NEWMAN, Corner Cumberland and High Ste.

L. C. SHEPARD. 40000 UNDERTAKER

Corner Main and Walnut Sts., KNOXVILLE, - - TENNESSEE.

Keeps the largest and finest assortment of Cas-kets. Cases, and Coffins, Buriai Robos. Emblems and Mountings for the same, in this end of the State; as well as THE FINEST HEARSE IN THE STATE, anybody. I am also prepared to keep bodies in GOOD STATE OF PRESERVATION for days desired. Special attention paid to shipping bod Orders by telegraph filled at once. L. C. SHEPARD.

HOPE THE DEAF PERFECTLY RESPONDE THE HEARING and perform the work of the Natural Brum. Always to Entition, but invisible to others. Al Conversation and even whippers heart distinctly. We

refer to these using them. Send for descriptive circular GARMORE EAR DRUM CO., CINCINNATI, O.

OUR NEW STOCK

Just being received, comprises the most choice novelties in design, fabric and shape that the market affords.

In purchasing our Stock, we do not hunt up the cheap-Johns, but make it a point to buy of houses who manufacture their Clothing with an eye to the beauty and durability of the garment and to the comfort of the wearer. Hence, we invariably satisfy our customers. The BOOM does not affect our prices. We have bought our new stock at last Spring's prices and shall sell them accordingly, being content with small profits. Our Children's, Boys' and Youths' Department, we venture to say. is the most complete in the City. Our Stock of Spring Underwear, White and Fancy Shirts and Furnishing Goods generally is Large, selection Choice, and Prices very Cheap and and

# HEART BROS.

THE "ONE PRICE" CLOTHIERS.

# Cowan, McClung & Co

WHOLESALE DEALERS IN

# GOODS

MODELEDNE.

## BOOTS, SHOES,

HATS AND HARDWARE,

Would respectfully announce that their assortment of Goods for the Spring Trade is now complete. They have all their Departments filled with

## FRESH, SEASONABLE GOODS,

which they offer to Merchants only,

AT EASTERN PRICES

All Orders Promptly and Carefully Filled.



## J.W.GAUT & SON Produce and Commission Merchants,

Wheat, Corn, Oats, Hay, Flour

Bacon, Lard, Feathers, Dried Fruit, &c., 203 Gay Street.

Prompt Attention to Consignments. Solicits Orders for ALL KINDS PRODUCE.

BENSONS CAPCINE

Back Ache is at Once Cured by

BENSON'S CAPCINE POROUS PLASTERS. IT IS THE ONLY KNOWN REMEDY THAT NEVER PARLS

In Every way Superior to the Ordinary, Slow-acting Porous Plasters,

## LOOK:

THE KNOXVILLE CHRONICLE

Weekly Whig and Chronicle for 1880.

DAILY CHRONICLE.....1 year, \$8 00 ......6 m'ths, 4 00

WEEKLY WHIG AND CHRONICLE. 

During the coming Presidential year, the DAILY CHRONICLE will take an active part in the vigorous discussions of all political issues involved, and will, at the same time, keep its readers fally posted on all the important events of the day. It will do whatever is honest and legitimate to promote the success of the Republican ticket, placing fidelity to the interests of that party above any personal aims or privata ambition. To this end it will favor the selection of good men with clear records, personal and political, for standard bearers in the coming canvass, and

In State politics, the CHRONICLE will support no man for any office, from Governor down to constable, who is not in favor of paying the State debt upon terms satisfactory to the creditors of the State. It will oppose the efforts of repudiationists to drag the entire State down to their low and degraded standard, first, last and all the time, and eyen though the repudiationists should be successful, it will continue to denounce them and their infamous schemes.

when such are selected, it will do everything reasonable to secure

their success.

The WHIG AND CHRONICLE will be published weekly, as before, and will be made up from the issues of the DAILY CHRONICLE. It will contain a choice selection of miscellaneous matter each week, together with editorials, telegraph and local matter. Especial attention will be given its columns, and everything that could be objectionable in the family circle will be carefully excluded. It will be the object of the publishers to make it a welcome visitor into the families of the

Its market reports will be carefully revised every Tuesday and made as nearly perfect and reliable as pos-

The Agricultural columns of the WHIG AND CHRONICLE shall receive close attention, and will be improved all the time. In this department, the views of practical farmers on topics of interest will be invited.

The proprietors of these two old and well established journals will spare no pains to keep up and add to their established reputation, and are confident that they will make them worth many times more than the subscription price charged. Any number of copies above

twenty may be sent at the same rate, and a copy free for the club will be sent to clubs of ten and Remit by draft, express, postal money order, or registered letter,

at our risk. Address, WHIG AND CHRONICLE,



The "AGITATOR PUZZLE." Or Came of 15 & 16, is creating a prefect furore field by Merchants on '10 Cr. Co Un TERS, MERCHANTS! WAKE UP!
Start a 5 or 10 Cent Counter!!
We are the only anciousty Jobbers of "5 & Uct
Goods" in the World. Catalogue and particulars Butler Bros. 200 & 202 Radolph St. CHICAGO.

\$5 to \$20 per day at home. Samples Byrnson & Co., Portland, Maine.

week in your own town. Terms and with free Address H. HALLETT & Co., Portland, Maine,